



# *Committee on Ordinances*

June 20, 2007 – 7:00 pm – **Agenda**  
City Council Chamber, Room 214, Municipal Building

## **View Minutes**

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1. Public Hearing, on a Written Motion, Council President Pimental, requesting the ZONING on East Rodney French Boulevard, South of Rodney Street, Plot 12, Lot 4 and Plot 14, Lots 160, 161 and 162 be changed from Residence B to MIXED-USE BUSINESS IN THEIR ENTIRETY. (Ref'd 5/10/07)

***INVITEES: City Planner, David Kennedy; Atty. David!. Gerwatowski; City Solicitor, Atty. Irene B. Schall; Abutters***

2. Public Hearing, on a WRITTEN MOTION, Councillor Alves, requesting that the following lots on RIVERSIDE AVENUE, be REZONED from INDUSTRIAL to MIXED-USE BUSINESS: Plot 105, Lot 169; Plot 100, Lots 108 and 112. (Ref'd 5/10/07)

***INVITEES: City Planner, David Kennedy; Atty. David!. Gerwatowski; City Solicitor, Atty. Irene B. Schall; Abutters***

3. WRITTEN MOTION, Council President Alves, asking that the Committee on Ordinances review the current Responsible Employees Act to evaluate the addition of MGL Chapter 30, Section 39, UNIFORM PROCUREMENT ACT, in an effort to expand and ensure that local residents are given the primary opportunity for employment in the City of New Bedford-sponsored projects. (Ref'd 9/14/06)
4. COMMUNICATION, City Solicitor Schall, to City Council, submitting AN ORDINANCE, amending Chapter 2, Article I, by ADDING Section 2-9, Promulgation of Regulations by Boards, Commissions, Committees and Political Subdivisions. (Ref'd 10/26/06, not heard 11/28/06 remain in committee)
- 4a. AN ORDINANCE, amending Chapter 2, Article I, by ADDING Section 2-9, Promulgation of Regulations by Boards, Commissions, Committees and Political Subdivisions. (Ref'd 10/26/06, not heard 11/28/06 remain in committee)

***INVITEES: City Solicitor, Atty. Irene B. Schall***

5. COMMUNICATION, City Solicitor Schall, to City Council, submitting AN ORDINANCE, amending Chapter 2, Article I, by ADDING Section 2-10, Removal of Board, Commission, Committee or Task Force Members. (Ref'd 10/26/06, not heard 11/28/06 remain in committee)
- 5a. AN ORDINANCE, amending Chapter 2, Article I, by ADDING Section 2-10, Removal of Board, Commission, Committee or Task Force Members. (Ref'd 10/26/06, not heard 11/28/06 remain in committee)

***INVITEES: City Solicitor, Atty. Irene B. Schall***

6. COMMUNICATION, Jeanne M. Mathieu, Chairperson, Council on Aging Advisory Board, to Council President/Councillor at Large David Alves, Chairman-Ordinance Committee, Re: Boards and Commission Absences and Motion made at Council on Aging Advisory Board Meeting, requesting an EXEMPTION for their Board to the ruling that any member on any Board of Commission who misses three (3) meetings within the year will automatically be removed from his or her position. (Ref'd

12/21/06)

***INVITEES: City Solicitor, Atty. Irene B. Schall***

7. COMMUNICATION, City Solicitor Irene Schall, to City Council, submitting AN ORDINANCE amending Chapter 18, Parks and Recreation, Section 18-9, Clerk, by deleting Commissioner of Human Services and replacing it with "Director of Community Services or his or her designee shall service as the Clerk of the Board of Park Commissioners and Recreation Commission." (Ref'd 10/26/06, not heard 11/28/06 remain in committee)
- 7a. AN ORDINANCE, amending Chapter 18, Parks and Recreation. (Ref'd 10/26/06, not heard 11/28/06 remain in committee)

***INVITEES: City Solicitor, Atty. Irene B. Schall***

8. SUBSTITUTE MOTION, Councillor Lawrence, requesting that the Committee on Ordinances ask Attorney David Gerwatowski to write up his legal opinion as to whether or not it is legal to charge an individual a fee as it pertains to zoning and to present his opinion and the steps needed to explore the possibility of having a joint hearing between the Ordinance Committee, and the Planning Board. (Ref'd 11/8/06)
- 8a. Communication, Attorney David J. Gerwatowski, submitting his opinion as it pertains to zoning. (Ref'd 11/17/06)

***INVITEES: Atty. David J. Gerwatowski***

9. WRITTEN MOTION, Councillor Alves, requesting that the City Council's Legal Counsel review the current City Ordinance, Section 23-23. Heavy truck parking in residential zone, of the City Code, and seek to eliminate the ambiguity in reference therein to the "Red Book," published by the National Market Reports of specifications obtained directly from the manufacturer," in that neither the Police Department nor the City's Law Department have knowledge/possession of, or access to, and which would be needed in order to enforce the said Ordinance. (Ref'd 1/25/07)
- 9a. COMMUNICATION, Legislative Counsel Gerwatowski, to Council President Pimental, responding to Written Motion IN CITY COUNCIL, January 25, 2007, requesting review of Ordinance Section 23-23 Heavy truck parking in a residential zone, stating that Council must provide guidelines, that Police Traffic Division and someone with knowledge of trucks should be involved in discussion and that the matter be referred to the Property Committee and/or the Ordinance Committee. (Ref'd 2/8/07)

***INVITEES: Sgt. Joao Chaves, Traffic Division; Police Chief, Ron Teachman Chairperson***

***suggests "No Further Action" on the following items:***

10. Written Motion, Councillor Gomes, requesting that the City Council Committees on Public Safety and Ordinances, meet to discuss an Ordinance, or possibly a Home Rule Petition, that would confiscate cars belonging to "Johns" who are actively involved with prostitution on the streets of the City of New Bedford; and further, that said law be modeled after the Portland, Oregon Law that, on the first offense, the person must sign a form that allows for forfeiture of their car when a second offense of soliciting prostitution occurs. (Ref'd 3/23/06, remain in committee 10/11/06, not heard 11/28/06 remain in committee, tabled 5/16/07)
11. WRITTEN MOTION, Councillor Pina, requesting that any private contractor working within City limits sign a document agreeing that, upon digging or construction, any streetlights damaged or destroyed during said construction by these private contractors, that the cost of repairing the damaged streetlights will be paid to the City of New Bedford by the contractor who did the damage. (Ref'd 8/17/06, referred from A & B 10/17/06, tabled 11/8/06)